

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 13, 1979
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem
Himmelblau, Councilmembers Mullen, Snell, Trevino

Absent: Councilmember Goodman

The Mayor informed the Council that Councilmember Goodman would probably arrive at the meeting late in the afternoon.

INVOCATION

The Invocation was given by Dr. Leslie Green, Hyde Park Christian Church.

MINUTES APPROVED

Mayor Pro Tem Himmelblau moved that the Council approve the Minutes of December 6, 1979, Council Meeting. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Himmelblau, Councilmembers
Mullen, Snell

Noes: None

Absent: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmembers Cooke,
Trevino

BOARDS AND COMMISSIONS

Councilmember Snell moved that the Council make the following appointments to Boards and Commissions:

Joint Airport Zoning Board

Douglas Vair

On-Going of Goals Assembly Committee

Beverly Griffith, term to expire June 1, 1981

Commission on Status of Women

Patricia Turner, term to expire June 30, 1980

Ethics Review Commission

Jack Anderson, term to expire July 1, 1980

Urban Transportation Commission

Henry Nobles, term to expire January 1, 1982

MH/MR Task Force

Richard Goodman

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Mayor McClellan

Noes: None

Absent: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmembers
Cooke, Trevino

Mayor Pro Tem Himmelblau asked that the record reflect that her appointment to the MH/MR Task Force on December 6, 1979 had to be turned down because of a conflict of interest.

Future Appointments

Mayor McClellan announced future appointments to be made December 20, 1979 are:

Employees' Retirement System of the City of Austin - 1
Manpower Advisory Planning Council - 11
MH/MR Board of Directors
Hospital Board - 3
Human Relations Commission - 7
Electrical Board - 3
Electric Utility Commission - 3
Construction Advisory Committee - 3
Commission on the Status of Women - 1
Vending Commission - 1

RELEASE OF EASEMENT

Councilmember Mullen moved that the Council adopt a resolution to authorize release of the following easements:

Two five (5.00) foot Public Utility Easements located on Lots 14 and 15, Block A, Spillar and Greenwood Addition, 1136-1/2 Airport Boulevard. (Requested by Robert J. Boerner for Sigmor Corporation)

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

CHANGE ORDERS

Councilmember Mullen moved that the Council adopt a resolution to approve the following change order:

CAPITAL IMPROVEMENTS PROGRAM - To CENTEX PAVING COMPANY in the amount of \$11,951.80, to provide for Cul-de-sac at Laguna Gloria. C.I.P. No. 80/62-03.

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to approve the following change order:

CAPITAL IMPROVEMENTS PROGRAM - To ROBERT C. GRAY CONSTRUCTION COMPANY in the amount of \$29,131.00, for Spicewood Springs Road, Phase I-A North Route, Paving and Drainage Improvements. C.I.P. No. 73/62-23.

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to approve the following change order:

To CES TELECOMMUNICATIONS in the amount of \$15,000.00 for additional consulting engineering/communications service for Fire Department Communications.

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

CONTRACTS APPROVED

Councilmember Mullen moved that the Council adopt a resolution to approve the following contracts:

Bid Award:

- Vending Machine Concession, District Park Pools Food and Drink Concession, Zilker Park Department of Parks and Recreation.

ACME VENDING SERVICE, INC.
611 Neches Street
Austin, Texas

- Total Est. Revenue - \$13,135.00

AUSTIN CONCESSION
5000 Broken Bow Pass
Austin, Texas

- Total Est. Revenue - \$38,874.00

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to approve the following contracts:

Bid Award:

- Paper for printing and copy Machines, Public Information and other Departments. Six month supply agreement.

MONARCH PAPER COMPANY
3911 Woodward Street
Austin, Texas

- Items 1.1-1.6, 3.1-3.14, 5.1-5.3 and 7.1 - \$48,919.01

LONE STAR PAPER COMPANY
210 East St. Elmo
Austin, Texas

- Items 2.1, 2.2, 3.15, 4, 6.1,
7.2 and 7.3 - \$5,761.75

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to approve the following contracts:

Bid Award: - Light Duty Trucks, Vehicle and
Equipment Services

LEIF JOHNSON FORD
Austin, Texas

- Item Sheet	Item
LT-1	1-3
LT-2	1 and 2
LT-6	3
LT-8	3
LT-9	3
Total -	\$151,201.00

CENTEX DATSUN
Austin, Texas

- Item Sheet	Item
LT-3	1,2,4,5
LT-4	1 and 2
LT-5	1-3
Total -	\$108,988.75

CAPITOL CHEVROLET
Austin, Texas

- Item Sheet	Item
LT-6	1 and 2
LT-7	3
LT-8	1 and 2
Total -	\$67,850.00

HENNA CHEVROLET
Austin, Texas

- Item Sheet	Item
LT-6	4
LT-7	1
Total -	\$20,353.00

COURTESY DODGE
Austin, Texas

- Item Sheet	Item
LT-7	2
LT-9	1
LT-10	1
Total -	\$27,790.00

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

LEIF JOHNSON FORD
Austin, Texas

- Police and Miscellaneous Sedans
Vehicle and Equipment Services
Item Sheets PS-1, PS-2 and S-1
Total - \$815,086.00

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

AUSTIN KAWASAKI
Austin, Texas

- Twelve (12) Police Motorcycles
Vehicle and Equipment Services
Item 1, 12 ea. @ \$4,253.88
Total - \$51,046.56

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

AUSTIN ENGINEERING CO., INC.
6304 West Bee Caves Road
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Electric Ductline and Concrete
Foundations at Summit Substation -
\$53,100.00 C.I.P. No. 79/09-01

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

GATE CITY STEEL
801 North Xanthus
Tulsa, Oklahoma

- CAPITAL IMPROVEMENTS PROGRAM -
Design and Fabrication of Steel
Transmission line and Substation
Structures, Electric Utility
Department.
Item 1-35 - \$194,159.00
C.I.P. No. 77/35-01, 77/35-02,
78/35-01 and 79/35-03

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

TECHLINE, INC.
8750 Shoalcreek Boulevard
Austin, Texas

- Insulators, Station Post, 138-KV,
Electric Utility Department
Items 1-2, 7 and 8 - \$11,709.55

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

STIEFER PAINTING & CONTRACTING CO.,
INC.
P. O. Box 9924
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Holly Plant Machine Shop Addition
and Decker Welding Shop -
\$163,179.25 C.I.P. No. 76/39-02
and 73/39-05.

Councilmember Mullen moved that the Council adopt a resolution to approve the above contract. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

YOUNG & PRATT, INC.
P. O. Box 957
Austin, Texas

- Kitchen Installation, Waterloo
Park Center - \$133,350.00

The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

PLANERGY, INC.

Councilmember Mullen moved that the Council adopt a resolution to enter into a Professional Service Agreement with Planergy, Inc., for the development of an experimental residential air-conditioning load control program. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

AGENDA ITEM POSTPONED

Councilmember Mullen moved that the Council postpone until January 17, 1980, consideration of amending the policy on oversize water and wastewater mains (internal subdivision lines) to require Council approval of certain oversize lines. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

SPECIAL WARRANTY DEED

Councilmember Mullen moved that the Council adopt a resolution to authorize execution of a Special Warranty Deed conveying right-of-way for Mo-Pac Boulevard to State of Texas including West First Street and Lake Austin Boulevard, northward to Northland Drive and a strip south of Bee Caves Road. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

CONDEMNATION PROCEEDINGS FOR POWER LINES

Councilmember Mullen moved that the Council adopt a resolution to authorize to purchase or initiate condemnation proceedings for acquiring property, rights or title, right-of-way easements of Capital Improvements Program for power transmission lines (South Texas Project to Holman Substation). CAPITAL IMPROVEMENTS PROGRAM No. 77/15-04. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

SKILL TRAINING IMPROVEMENT
PROGRAM

Councilmember Mullen moved that the Council adopt a resolution approving recommendations of the Industrial Employers' Council for Urban FY 1980 CETA Title III Skill Training Improvement Program (STIP). The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

CLARKSVILLE RENT HOUSE REPAIR PROGRAM

Councilmember Mullen moved that the Council adopt a resolution to authorize to contract with the Austin Tenants' Council for the administration of the Clarksville Rent House Repair Program funded in the amount of \$17,500 from the Fourth Year Community Development Block Grant. (December 15, 1979 through December 14, 1980). The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

RENOVATION OF ROSEWOOD-ZARAGOSA COMMUNITY CENTER

Councilmember Mullen moved that the Council adopt a resolution to enter into a contract with the Austin-Travis County Mental Health-Mental Retardation Center for the renovation/rehabilitation of the Rosewood-Zaragosa Community Center funded in the amount of \$30,000 from the Third Year Community Development Block Grant. (November 1, 1979 through October 31, 1980). The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

Mayor Pro Tem Himmelblau stated for the record, that if the amount for renovation/rehabilitation exceeded \$30,000 the City would not be responsible.

PUBLIC HEARINGS SET

Councilmember Mullen moved that the Council set a public hearing on January 17, 1980 at 6:30 p.m. on the Proposed Metropolitan Area Roadway Plan. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council adopt a resolution to set a public hearing on January 17, 1980 at 7:00 p.m. on annexation of 3,000 acres of land north of Bee Creek south of Lake Austin excluding the area in Water District No. 10. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council set a public hearing on January 10, 1980 at 9:30 a.m. to amend Section 45-17(h)(1) of the Austin City Code (Zoning Ordinance) to prohibit apartments in "A" residence use districts by Special Permits. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

Councilmember Mullen moved that the Council set a public hearing on January 10, 1980 at 11:00 A.M. to amend Chapter 37 of the Austin City Code to restrict the use of aluminum wire in one and two family dwellings to No. 6 gauge wire and larger sizes. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

LICENSE AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution to authorize the issuance of a License Agreement to allow the construction of a court yard extension onto the paved area of the street adjacent to Lot A of Gaslight Square Subdivision, 208, 210 and 212 West 4th Street. (Requested by Sinclair Black for the Cedar Street Partnership.) The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

(Later in meeting the motion was restated to include waiver of fee.)

1979-1980 OPERATING BUDGET AMENDMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$432,000.00 FROM THE COMMUNITY SERVICES ADMINISTRATION TO CONTINUE THE OPERATION OF THE AUSTIN-TRAVIS COUNTY COMMUNITY ACTION PROGRAM; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$5,114,063.00 FROM THE UNITED STATES DEPARTMENT OF LABOR COMPREHENSIVE EMPLOYMENT TRAINING ACT (CETA) FOR THE PURPOSE OF CONDUCTING CERTAIN CETA PROGRAMS UNDER TITLE II, IV, VI AND VII OF SAID ACT; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

PAVING ST. ELMO ROAD

Mayor McClellan introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF ST. ELMO ROAD IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DEFINED, PERFORMED BY ROBERT C. GRAY CONSTRUCTION COMPANY; AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES TO THE CITY IN CONNECTION THEREWITH; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (St. Elmo Road)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

PAVING ASSESSMENT HEARING SET

Mayor McClellan introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS; SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:00 O'CLOCK A.M. ON THE 24TH DAY OF JANUARY, 1980, IN THE CITY OF AUSTIN MUNICIPAL ANNEX, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (South First Street)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

SPEED ZONE CHANGES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTION (d) OF SECTION 21-41 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTION, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Speed Zones are as follows:

DELETING: (School zone - 20 mph)

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Mesa Drive	South curb of Rockford Lane	111' north of Austin Woods
Steck Avenue	199' east of Rockwood Lane	288' west of Rockwood Lane

ADDING (School zone - 20 mph)

Mesa Drive	91' north of Austin Woods	North curb of Greenflint
Ohlen Road	38' east of Burrell Drive	72' west of Shadowood

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE EASTERNMOST 200 FEET OF LOT NO. 5, BLOCK NO. B, ACRES WEST, SAVE AND EXCEPT ONE FOOT OF LAND ON THE EASTERNMOST PORTION OF THE LOT WHICH IS TO REMAIN ZONED "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 13560 RESEARCH BOULEVARD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Billy J. and Mary J. York, C14-79-234)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 2, BLOCK 98, ORIGINAL CITY, LOCALLY KNOWN AS 804 CONGRESS AVENUE (BOSCHE BUILDING), FROM "C-2" COMMERCIAL, FOURTH HEIGHT AND AREA DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC, FOURTH HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Bosche Building, C14h-79-019)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN APPROXIMATE .564 ACRE TRACT OF LAND, LOCALLY KNOWN AS 808 WEST AVENUE (MONTGOMERY HOUSE), FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "B-H" RESIDENCE-HISTORIC, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Montgomery House, C14h-79-020)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1 AND 2, BLOCKS 15 AND 16, OUTLOT 57, DIVISION B, PATTERSON SUBDIVISION, LOCALLY KNOWN AS 1501 EAST 12TH STREET (SOUTHGATE-LEWIS HOUSE), FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "B-H" RESIDENCE-HISTORIC, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Southgate-Lewis House, C14h-78-024)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.229 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7028 WOOD HOLLOW DRIVE, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (David B. Barrow, Jr., C14-79-145)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 BY PERMITTING "WILLIAMSBURG" LOCATED AT SPICEWOOD SPRINGS ROAD AND CHIMNEY CORNERS TO BE USED FOR A PLANNED UNIT DEVELOPMENT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Theron S. Bradford, Trustee, C814-79-004)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Abstain: Councilmember Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 1-A, PUSCHMAN SUBDIVISION, LOCALLY KNOWN AS 412-418 STASSNEY LANE; FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Bronislaw Puschman and Rose Puschman, C14-79-221)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Abstain: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.78 ACRE TRACT OF LAND, LOCALLY KNOWN AS 11162 JOLLYVILLE ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (L. T. Simpson and wife, Sadie Bell, C14-79-227)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Abstain: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: CHERRY CREEK, PHASE VII, SECTION 1, AMENDED, SAVE AND EXCEPT LOT 1, BLOCK B, AND LOTS 1 AND 2, BLOCK F; CHERRY CREEK, PHASE VII, SECTION 1-A; CHERRY CREEK, PHASE VIII, SECTION 2; SOUTHWEST OAKS, SECTION 1; SHILOH SUBDIVISION, PHASE I, SECTION 1; SHILOH SUBDIVISION, PHASE II, SECTION 1, AMENDED; SHILOH SUBDIVISION, PHASE IV, SECTION 1; AND CHERRY CREEK, PHASE VII, SECTION 1-B; BEING LOCALLY KNOWN AS 8100-8408 AND 8101-8409 FORT SUMTER ROAD, 8200-8412 AND 8201-8411 DIXON DRIVE, 8100-8424 AND 8101-8425 SEMINARY RIDGE, 2600-2718 CAMERON LOOP, 2700-2704 AND 2701-2707 IRISH BEND DRIVE, 2700-2704 AND 2701-2705 CALABASH COVE, 2700-2706 AND 2701-2705 FORT SUMTER CIRCLE, 2600-2710 AND 2601-2711 GETTYSBURG DRIVE, 2608 AND 2609 PALMITO ROAD, 2600-2922 AND 2601-2921 INRIDGE DRIVE, 2700-2910 AND 2701-2911

JORWOODS DRIVE, 8200-8400 AND 8201-8403 KEARSARGE DRIVE, 8200-8404 AND 8201-8405 ALABAMA DRIVE, 8100-8104 AND 8101-8103 SHILOH COURT, 8100-8104 AND 8101-8105 CAISSON CIRCLE, 2100-2412 AND 2301-2409 STONE RIVER DRIVE, 7900-8108 AND 7901-8113 APPOMATTOX DRIVE, 2500-2606 AND 2501-2605 MONITOR DRIVE, 2102-2602 AND 2103-2607 SHILOH DRIVE, 7900-8016 AND 7901-8015 KENESHAW DRIVE, 7700-7710, 7804-8200, 7701-7711, 7805-7813, 7829-7901 AND 8005-8201 MANASSAS DRIVE, 7504-7612 AND 7505-7609 WHISPERING OAKS DRIVE, 7504-7604 AND 7505-7607 WHISPERING WINDS DRIVE, 7706-7802 AND 7707-7805 GAINES MILL LANE, 2300-2306 AND 2301-2305 GAINES MILL COVE, 2400-2606 AND 2401-2609 BROKEN OAK DRIVE, 2310-2606 AND 2311-2607 BURLY OAK DRIVE, 7502 AND 7503 HAYS HILL DRIVE, 7600-7604 AND 7601-7605 CHALLSBURY DRIVE, 7502-7604 AND 7503-7703 WESTGATE BOULEVARD, 2200-2220 AND 2201-2219 FANCY GAP LANE, 7700-7706 AND 7701-7705 MALVERN HILL COURT, 2000-2114 AND 2001-2113 MALVERN HILL DRIVE, AND 7722-7804 MANCHACA ROAD; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT 2: SHILOH, PHASE III AND SHILOH, PHASE III, SECTION 2; BEING LOCALLY KNOWN AS 2000-2100 AND 2001-2101 SHILOH DRIVE, 7906-8122 MANCHACA ROAD, 8000-8208 AND 8001-8207 HOOD CIRCLE, 8000-8104 AND 8001-8105 DOWLING COVE; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin, C14-79-228)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman
Abstain: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
FIRE STATION TRACT NO. 22 SUBDIVISION, LOCALLY KNOWN AS 5307-5311 EAST RIVERSIDE DRIVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT AND "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin, C14-79-239)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman
Abstain: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 45,035 SQUARE FOOT TRACT OF LAND, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 83,897 SQUARE FOOT TRACT OF LAND, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT;

ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS 2621 EAST BEE CAVES ROAD; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Zilker Height Associates, Ltd., C14-79-241)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,
Mayor McClellan, Councilmember Cooke
Noes: None
Absent: Councilmember Goodman
Abstain: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 9 AND THE SOUTH ONE-HALF OF LOT 11, BLOCK 2, LA PRELLE PLACE, LOCALLY KNOWN AS 2222 COLLEGE AVENUE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Texas Traditions Realty Venture, C14-79-242)

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Abstain: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

1979-80 OPERATING BUDGET AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1979-1980 BY ACCEPTING AND APPROPRIATING \$10,000.00 FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), FIFTH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT CONTINGENCY FUND FOR THE PURPOSE OF PROVIDING CERTAIN LEGAL SERVICES IN THE DEVELOPMENT OF A REVISED ZONING ORDINANCE AND HISTORIC PRESERVATION PLAN; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

The second and third readings of an ordinance amending the Austin City Code (Zoning Ordinance) to cover the following zoning change was scheduled for 9:15 A.M.:

BROWN BUILDERS, INC.
By Dianne DeBois
C14-79-202

6902 Thorncliff
Drive, also bounded
by Knollwood

From Interim "A" Residence
1st Height and Area
To "BB" Residence
1st Height and Area

Mayor Pro Tem Himmelblau said she wanted to see the original site plan so Council would know what it is voting on. Mr. Lillie, Director of Planning, reviewed the structures as they were originally planned, with two duplex units located at the top of the hill. When Council reviewed this case during zoning hearings they restricted the buildings allowed to one duplex unit on the hill. Council has been asked to amend the ordinance in the second and third readings to allow two structures rather than one.

Dr. Watson, speaking for the neighborhood, thought the two structures would be visibly seen by the neighbors and said they want only one structure on the bluff top.

Councilmember Cooke said he is concerned because visual pollution is occurring in northwest hills because of the thousands of apartment units built on the hillside. He requested the applicant to protect the tree line and has been assured by them that they will modify the visual pollution so the two units will not be visible to the neighbors.

Mayor McClellan said she is concerned... Council can legally change its mind on the third reading of an ordinance, but to come back after the fact and amend the ordinance she felt was bad because all those who had appeared at the original hearing would not get a chance for input. She thought the zoning application should go through the whole process..through the Planning Commission and back to Council. Councilmember Mullen agreed with her.

Conversation ensued concerning whether or not the case should go back to the Planning Commission. Councilmember Mullen then suggested Council listen to the applicant.

Diane Debois, representing the applicant, showed drawings of the site line which indicated the duplex units on the bluff would not be seen by the neighbors. She reviewed what the units will be like and said it would be difficult to design with only one structure on top of the bluff. She requested they be allowed to go back to the original site plan which had been approved by the Planning Commission by a 5-0 vote.

JIM LANDRUM, representing the Balcones Civic Association, said the neighborhood is still against several structures on a hill top and thinks it is better to have more density at the bottom.

Motion

Mayor McClellan brought up the following ordinance for its second and third readings:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 8, BLOCK M, SEC. 14C, NORTHWEST HILLS SUBDIVISION, LOCALLY KNOWN AS 6902 THORNCLIFF DRIVE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Brown Builders, Inc., C14-79-202)

The ordinance was read the second time, and Councilmember Cooke moved that the Council waive the requirement for the third reading, and declare an emergency and finally pass the ordinance, to allow the original site plan. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Cooke, Mayor
Pro Tem Himmelblau
Noes: Mayor McClellan
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Councilmember Mullen said he originally voted "No" when the case was heard and granted on October 25, 1979 and he is changing his "No" vote to "Yes" because he thought there was going to be one less unit. His reason was visual pollution, but the set down of the design as it has been changed will not disturb the visual image of the bluff. There will be a buffer and he encourages this as opposed to apartments.

ZONING HEARING

Mayor McClellan opened the public hearing scheduled for 9:30 A.M. on the following zoning case. Pursuant to published notice thereof, the following zoning case was publicly heard:

H. E. BUTT
GROCERY COMPANY
By C. Morris Davis
C14-79-199

13804 Research Boulevard

From Interim "AA" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
RECOMMENDED by the Planning
Commission subject to U.S.
183 recommendations.

Mr. Lillie stated, "This application has been before Council. If you recall the case, it was to grant "GR" General Retail zoning to allow the expansion of an existing HEB store. That expansion is intended to be from the existing building toward the existing right-of-way of the highway. The site plan shows that the building plans for expansion would extend to within 28 feet of the existing property line on 183. The City's building set-back line requirements by ordinance are 25 feet. That means it would be 3 feet beyond the City's minimum standards for building setbacks. The issue of the future improvements of 183 was discussed and the representative of the applicant indicated a visit with the highway department people and you had asked he bring back to you further information to discuss that problem. The information which we received from the Highway Department in the form of a guide is that they will need about 300 feet for the future improvement of the highway. In most instances on 183 we have 200 feet and in some instances as low as 160 feet. The expanded need for the expressway section on 183 would require about 50 feet from each side of the current right of way line. The Planning Commission and the Council have been interested in all applications that occur on 183 in informing property owners that it would be to their benefit and certainly to the public benefit to set back from current property line 75 feet. 25 feet would be the required building set-back line and the additional 50 feet would be an area which would be required for that highway expansion. If we were to insist on the 75 foot building line for this particular property, it would mean that expansion probably could not take place. We know of no plans of the Highway Department at this time. We know of no specific funding program of the Highway Department at this time. Our request of property owners has been to take this into consideration in your development plan and if you feel you can make allowances to provide for the 75 foot building set back line we think it is a good idea to do it now."

Sheila Finneran, Assistant City Attorney, made the following recommendation concerning the building set back line: "The Council should not require any more than the ordinance already has in it which is 25 feet. We believe that such a requirement in this case would be a confiscation of property and the property owners would have to be compensated for this land which is for public use."

JULIAN LOCKWOOD, representing HEB, said they agree with Ms. Finneran and showed their plan for expansion.

Councilmember Cooke stated he has problems with the expansion. Mayor Pro Tem Himmelblau was concerned with the parking and wondered if they build as proposed if they will need a variance for parking. Mr. Lockwood said that at one time they asked for a variance and counted all the parking spots. The County told them a portion of the store outside of the city limits. Mayor Pro Tem Himmelblau asked for a report on how many parking places are available, and, to the letter of the ordinance, what would be required and what would be deleted if this takes place.

(Council continued with its regular business while the answers to Mayor Pro Tem Himmelblau's questions were being tabulated.)

Later in the morning, Mr. Lillie reported, "The numbers I've broken down into two classes. There is a total tract of which part lies within the City limits and part lies outside. The existing 30,000 square foot store which lies both inside and outside requires 150 paved off-street parking spaces. At present there are 177 spaces so they exceed the ordinance. The building, with the addition, increases to 38,788 square feet and the required parking for that would be 195 spaces. This addition, however, would delete 30 parking spaces, leaving 177 less 30 for a total of 144. This means it would be about 51 spaces below ordinance requirement. Because we are permitted to enforce the ordinance only on that area within the City limits the existing building within the City limits is 16,500 square feet which requires 82 spaces. 130 are provided in the city and 17 outside the city for a total of 147, which exceeds the ordinance requirements. The proposed addition would bring total square feet of the store to 25,850 square feet inside the city limits requiring 130 spaces and 147 spaces are provided, so they would exceed the ordinance requirement for off-street parking." Mayor Pro Tem Himmelblau said, "I don't see how you can treat a building as a part. It's there and functioning as a whole building. Are they paying inside the city utilities on the whole building or on the half building. How is their water metered?" Mr. Albert De La Rosa said, "I think our determination has always been the location of the actual meter. If the meter is located within the City of Austin then the building would pay inside fee rate."

Motion

Councilmember Cooke made a motion to deny the zoning and grant permanent "A" Residence zoning. As a member of the Austin Transportation Study looking for long range metropolitan planning for the City and considering the traffic problem on 183 and the plan to upgrade the facility which is underway right now by the Highway Department, I feel like this would be the most appropriate thing to do and anything other than this would be very inappropriate and I feel like it would add serious concerns to the upgrading of this facility. Mayor Pro Tem Himmelblau seconded the motion.

There was some discussion among Council. Mayor Pro Tem Himmelblau had some questions. (Not audible on tape.)

Second to the Motion Withdrawn

Mayor Pro Tem Himmelblau withdrew her second to the motion. She said she wanted the answers to her questions and asked for this to be postponed until the afternoon.

Motion Withdrawn

Councilmember Cooke withdrew his motion.

Later in the afternoon Council resumed the zoning hearing.

Motion

Councilmember Mullen moved that the Council grant "LR" Local Retail, 1st Height and Area District, with a restrictive covenant that HEB will not build anything for six months from the day the ordinance is passed. The motion was seconded by Councilmember Trevino.

Mr. Lockwood, representing HEB, said they would accept that.

Councilmember Mullen stated this would give them 6 months to get back with the State and see what the plan for 183 will be. Mayor Pro Tem Himmelblau stated she would prefer "O" zoning with a Special Permit for "LR" usage. She said that would prevent someone else from coming next month and wanting more than "O" Office for the 183 study.

Substitute Motion

Councilmember Cooke made a substitute motion to grant "O" Office, 1st Height and Area District, consistent with 183 study, with a restrictive covenant that HEB will not build anything for six months after passage of the ordinance. The motion was seconded by Mayor Pro Tem Himmelblau, and showed the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Himmelblau
Noes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan
Absent: Councilmember Goodman

The Mayor announced that the substitute motion had failed to pass.

Roll Call on Motion

Ayes: Mayor McClellan, Councilmembers Mullen, Snell, Trevino
Noes: Councilmember Cooke, Mayor Pro Tem Himmelblau
Absent: Councilmember Goodman

The Mayor announced that the change had been granted to "LR" Local Retail, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Councilmember Cooke stated: "I just want to say that's inconsistent with this Council's policy on 183. Very inconsistent. That's now the third

time we've done that in the last two months. If we keep doing it, I don't see how we are going to maintain the 183 policy that this Council adopted so enthusiastically a few months ago."

Mayor McClellan stated: "I think it's one thing when you have something new and I think it's another thing when you look at an already existing shopping center and already existing HEB and attempt to put "O" Office and "A" Residence zoning on them."

PUBLIC HEARING ON STREET VACATION

Mayor McClellan opened the public hearing scheduled for 9:30 A.M. on vacating the following and passage of ordinance: Gregory Street from cul-de-sac westerly to Comal Street and Comal Street from Rosewood Avenue to east Eleventh Street. (Requested by Tom Knickerbocker for the Austin Redevelopment Authority.)

Mr. John German, Director of Public Works, reported to Council that this street closing is in order in the Blackshear urban renewal plan.

CLEO PERSPALEY, 1405 Rosewood, appeared before Council to state her opposition to the closing. She said there is no parking entrance to the back of the residence and if the street were closed there would be no way to get in from the front.

Councilmember Snell asked what the purpose of the closing is. MR. BOB NOTON, representing Urban Renewal, stated that it is in the Blackshear plan to close this section of Comal Street as approved by City Council. Mr. Davidson, City Manager, said it is the Council's purpose to follow the Urban Renewal plan, but the plan ought to have a purpose and there should be a more definite idea as to why the street is being closed. Mr. Noton suggested the hearing be postponed until the opposition can be studied, because until this moment they were not aware of any opposition.

Councilmember Snell pointed out the City has just spent \$300,000 to improve the area, and Mr. Davidson suggested the hearing be postponed indefinitely until answers can be found.

Councilmember Trevino moved that the hearing be postponed indefinitely. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmember Cooke,
Mayor Pro Tem Himmelblau, Councilmember Snell

Noes: None

Absent: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Mullen

"SR" SUBURBAN RESIDENTIAL AMENDMENT

Mayor McClellan stated this was a continuation of the public hearing scheduled for 9:45 a.m. to amend Chapter 45 of the Austin City Code (Zoning Ordinance) to provide a requirement of one-acre lots in areas zoned "SR" Suburban Residential. No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 (ZONING ORDINANCE) OF THE AUSTIN CITY CODE; PROVIDING A MINIMUM LOT AREA REQUIREMENT OF ONE ACRE FOR LAND ZONED "SR" SUBURBAN RESIDENCE; PROVIDING A REQUIREMENT OF A MINIMUM LOT WIDTH OF NOT LESS THAN ONE HUNDRED FEET FOR LAND ZONED "SR" SUBURBAN RESIDENCE; PROVIDING AN EXCEPTION TO THESE REQUIREMENTS FOR LAND DEVELOPMENT UNDER THE CLUSTER CONCEPT IN A PLANNED UNIT DEVELOPMENT; PROVIDING A REQUIREMENT THAT EVERY BUILDING FOR A ONE-FAMILY, TWO-FAMILY, OR THREE-FAMILY RESIDENCE USE WHICH IS LOCATED IN AN "AA" AND LESS RESTRICTIVE USE DISTRICT, FIRST HEIGHT AND AREA, SHALL PROVIDE A LOT AREA OF NOT LESS THAN 5,750 SQUARE FEET FOR A ONE-FAMILY DWELLING, NOT LESS THAN 7,000 SQUARE FEET FOR A TWO-FAMILY DWELLING AND NOT LESS THAN 8,000 SQUARE FEET FOR A THREE-FAMILY DWELLING; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cooke moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem
Himmelblau, Councilmembers Mullen, Snell, Trevino
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

CREEK ORDINANCE

MR. KEN MANNING appeared before Council to discuss the Creek Ordinance (a part of the subdivision ordinance) as being applied in the subdivision process in such a manner that it effectively ignores environmental concerns. He questioned why the Engineering Department has in essence reversed the administrative agreement that had been arrived at several years ago and is now choosing to override the Environmental Department when a conflict comes up. He wondered if the Creek Ordinance should be amended to give the Environmental Office actual authority in this kind of situation so they won't be in a situation where the Engineering Department has discretion over environmental concerns of the ordinance.

Mr. Davidson, City Manager, stated, "Mayor and Council, with your permission I'd like to present a few remarks about Mr. Manning's observations. Since 1974 there have been some 700 creek permits issued. In addition, there

have been 2500 exemption certificates processed and that's where we've advised property owners that a creek permit may not be required but we want you to file an application anyway to be certain and that is thoroughly checked..an exemption can be granted under the ordinance. So far in 1979, 80 permits have been processed with 938 exemptions. The fact of the matter is that, as Mr. Manning stated, the Engineering Department has the responsibility to administer the ordinance. But contrary to the impression that I think was left, the Engineering Department does receive and consider recommendations and observations from the environmental office in connection with these applications. I have been told that in most cases the recommendations of the environmental office are accepted and made a part of the creek permit itself. In talking with Dr. McReynolds and with Charles Graves, I am pleased to report that the relationship between those departments is excellent at this time. They have a good working relationship on a cooperative basis and we're achieving a great many things, even some things which are not required by ordinance. The change that Mr. Manning spoke about, and he talked about it as an agreement between Environmental Resource Management and Engineering no longer being in effect.

"What really happened was that upon my recommendation and the recommendation of the Subdivision Task Force an entirely new procedure was adopted by the City Council for the processing of a subdivision plat, and in going through that entire process all of us said that we will rigidly require everything that is provided in the requirement of ordinance, but that we would not burden property owners with things that cannot be or are not required by ordinance. Some of the review process that Mr. Manning spoke about had to do with some courtesy type reviews, some time that was taken, even that was not required by the ordinance and we've been trying to streamline the process while at the same time still considering the recommendations of the Environmental Resources Management Office. I know the Council does not want an exhaustive explanation of that but I thought you should know what Mr. Manning was referring to and this may some day lead to an amendment to an ordinance and that's what I think he is bringing to your attention. At this time I wanted the Council to know that the City departments involved are cooperating and complying with the law that exists at this time and we'll be happy to work with the Planning Commission or anyone else in considering other ordinance amendments that may be brought to the Council, but in the meantime we're only going to enforce what is the municipal ordinance."

WESTCREEK SECTION SIX

MR. DAVID ARMBRUST, attorney, representing Provident Development Company, requesting approval of the preliminary and final plats for Westcreek Section Six notwithstanding the existence of the development moratorium presently in effect in the Barton Creek Watershed appeared before Council. He said the subdivision is out near Oak Hill on the opposite side of Highway 290 from Barton Creek. He said the subdivision will be 316 acres, 94% of which lies beyond the Barton Creek Watershed. The plat for Westcreek Section Six was scheduled to be heard by the Planning Commission on September 11th. This is an 11-acre tract and had been previously zoned. No one thought it could be in the Barton Creek Watershed. A few hours before the Planning Commission hearing someone in the Planning Department discovered it was in fact within the Barton Creek

Watershed and it was pulled from the agenda with no action. Wastewater service is available to the subdivision through the Williamson Creek line. Very little of the Barton Creek watershed lies on the opposite side of Highway 290. Mr. Armbrust said they are not requesting any action from the Council today other than to ask Council to request staff to look at the situation involving the plat and ask the City Attorney's office to prepare the appropriate ordinance that would allow them to go ahead with their platting, notwithstanding the existence of the moratorium, and then bring it back to Council with a staff recommendation.

The Mayor and City Manager agreed that this is a reasonable request. Mr. Davidson stated, "This dilemma is circumstantial. It is a reasonable request, and we recommend to Council that staff bring back the appropriate ordinance to be acted upon." Mr. Albert De La Rosa stated the City Attorney's office could bring back the ordinance.

Motion

Mayor Pro Tem Himmelblau moved that the Council instruct the City Attorney to bring back an ordinance concerning final plats for Westcreek Section Six on December 20, 1979. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Himmelblau, Councilmembers Snell, Trevino, Mayor McClellan

Noes: None

Absent: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Mullen

REFUND REQUEST DENIED

MR. M. A. LANG, owner, The Laundry Room, appeared before Council to request to be refunded overcharges on electric bills. He asked Council to put him in a non-demand category and refund charges made to him prior to that, which he felt were unfair. He asked for Council vote on his refund charges.

Mr. Davidson reminded Council that Mr. Lang had been before them previously and that his problem is being studied. He said he cannot recommend a refund. Mayor McClellan also stated staff has no basis for making a refund. Councilmember Cooke thought that offering Mr. Lang a refund would be inappropriate because others may feel they were also effected and want a refund also.

Councilmember Cooke moved that the Council deny Mr. Lang's request for a refund. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Mullen

PARKING TICKETS IN COMMERCIAL
LOADING ZONES

MS. LORI B. CERVENAK appeared before Council to discuss vehicles parked in commercial loading zones receiving tickets. Ms. Cervenak related she is a service representative for IBM. Often, when she parks her car in a commercial loading zone to service a client, she receives a ticket because her work is such that she cannot leave her equipment to run out and plug a meter. She cited an instance when she repaired a terminal for the City Tax Department. If she had left the exposed wires to take care of her car, someone could have inadvertently touched them and caused damage to themselves. Instead, she stayed with her job and when she was finished she found she had a ticket. She said a Bell Telephone sedan with no equipment inside, but its company name on the side did not receive a ticket. She was told that if she had an equipment rack in her car it would be recognized as a commercial vehicle and she would not be ticketed. She wondered if some provision can be made for a parking area for service representatives in the downtown area so they can avoid the tickets and ensuing fines.

Mr. Joe Ternus, Director of Urban Transportation, stated that the question of who can and cannot park in loading zones has been debated for years. He said they do not give preferential treatment to anybody, or exclude anyone from receiving a ticket.

Mayor Pro Tem Himmelblau expressed her feeling that Ms. Cervenak has a legitimate complaint.

Mr. Davidson thought Ms. Cervenak had presented some interesting points which he said he would look into. He asked her to meet with Mr. Ternus and express in more detail what her problems have been with parking. He said that he is further interested to see what is being done for the City of Austin account to make certain they are receiving proper service and thinks that perhaps the individual businesses and properties should do something other than what is provided on the street. He said he would investigate the concerns she expressed and then will report to her.

ANIMAL CONTROL

MR. RICK J. BAUDOIN appeared before Council to discuss animal control. He lives at 4009 Avenue B. There is a doberman in his neighborhood which has been attacking children, one of which was Mr. Baudoin's 13-month-old son. He said they have called Animal Control frequently, but so far nothing has been done to confine the dog.

Mr. Davidson said he would like the address of the dog's owner and a specific study will be done including checking Animal Control records and court records.

REVEREND MERLE FRANKE, who lives in the Hyde Park area, also appeared to discuss animal control. He said loose dogs are a continuous problem in Hyde Park and he asked Council to enforce the dog control ordinance. Mayor Pro Tem Himmelblau said she would like to see dangerous dogs impounded and their owners cited.

ZONING CASE POSTPONED

MR. JOHN PATTON appeared before Council to request the postponement of proposed zoning case No. C14-79-269 which has been scheduled for January 3, 1979 zoning hearings.

Councilmember Mullen moved that the Council refer Zoning Case No. C14-79-269 back to the Planning Commission, with Mr. John Patton to pay for new notices to be sent. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Trevino,
Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

Not in Council Chamber when roll was called: Councilmember Snell

BRUSH OVERHANG

Mr. Charles Wade, 4705 Spicewood Springs Road, appeared before Council to discuss general problem of brush overhanging onto city rights-of-way; Spicewood Springs Road in particular. He stated the brush hangs over the pavement, obscuring view on sharp curves, hills, etc. This creates a bad situation for autos and cyclers. He asked if the City has the authority to clear brush and other restrictions on a right-of-way.

Mr. Davidson told him that he would look into it and let Mr. Wade and Council know what can and will be done.

RECESS

Council recessed its meeting at 12:00 Noon and resumed its recessed meeting at 2:15 p.m.

HENRI VIDAL DAY

Mr. Davidson, City Manager, asked Mr. Charles Graves, Director of Engineering, to make an important presentation to Council on a unique project not only to Austin, but within the United States. He said we are proud to have been associated with it. Mr. Davidson also stated Mr. Graves would introduce the guest who is in Council Chambers this afternoon.

Mr. Graves told Council and members of the Chamber audience that a new program of flood control had been launched a few years ago. One of the more interesting areas was the Shoal Creek Watershed. Henri Vidal, a French architect, engineer and inventor developed the concept for reinforced earth

structures that has been used in the construction of Austin's first major storm water detention dam. Mr. Graves then showed slides of the flood control areas and the construction of the water detention dam which is located in the northwest hills. Mr. Vidal traveled from Paris, France, to observe the structure and is in the Council Chamber today.

Mr. Graves introduced members of his staff who worked on the storm water detention dam in its engineering phases, and then introduced Mr. Henri Vidal and his wife, Elizabeth.

Mayor McClellan read the proclamation designating December 13, 1979 as Henri Vidal Day in Austin. Mr. Vidal thanked her and the Council for the proclamation. The Mayor then presented a key to the City of Austin to Mrs. Vidal who thanked the Mayor and Council.

Mayor McClellan then introduced the Texas Society of Professional Engineers who were in the Chamber audience. They presented a plaque to Mr. Vidal, who accepted it with his thanks.

DON BAYLOR WEEK

Councilmember Snell read a proclamation designating December 17-21, as Don Baylor Week. Don's brother Doug received the proclamation with their thanks and appreciation.

RESOLUTION TO WILLIE NELSON

A resolution, signed by all Councilmembers, was presented to WILLIE NELSON, on location for a movie in the 200 block of north Congress, on the evening of December 11, 1979. Mayor McClellan was there to present the Resolution.

WATER PERMIT

Councilmember Cooke moved that the Council adopt a resolution to authorize application to the Texas Department of Water Resources for a permit to appropriate public water to allow a small permanent pond back of dam at Woodhollow Drive. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Cooke, Mayor Pro Tem Himmelblau

Noes: None

Absent: Councilmember Goodman

PUBLIC HEARING TO RECEIVE STATUS REPORT
AND PUBLIC COMMENT ON CDBG

Mr. Carlos Herrera, Director of Human Services, presented the status report, reviewing what has been done. He said there is acute awareness of housing, economic development and neighborhood revitalization.

Paula Manning, general supervisor of programs, research and planning for the Human Services Department, reviewed some of the specific details in the City's progress in the 4th year CDBG (Community Development Block Grant) program. She highlighted the following:

1. Housing
2. Neighborhood Centers
3. Montopolis Health Center
4. Montopolis street paving and drainage
5. Clarksville improvements
6. Bus shelters
7. Economic revitalization of low and moderate income areas
8. Housing assistance plan

Ms. Manning called Council's attention to the charts included in the report.

ELLIOTT NAISHTAT, Chairperson, Community Development Commission, appeared before Council and said he was present in the Council Chamber to listen to the comments which were made by staff and the comments which will be made by citizens. He urged Council to listen closely to what residents of designated target areas have to say about what has and has not been accomplished by use of CDBG funds this year and previous years. He said, put in perspective, he thinks the program is working very well, but in light of the criticism which Council will hear, they need to look carefully at how the CDBG funds are spent in the future and consider very seriously attempting to spend as much of the money as possible on projects that are of direct benefit to low and moderate income citizens.

MELVIN FLOWERS appeared before Council to state the money has been used quite well except in the rehabilitation loan area. He wondered if there is any way more money can be channeled for home repairs. He also thought more money should be channeled to neighborhood utilization versus wide-spread city type utilization.

SABINO MATA, representing East Austin Chicano Economic Development Corporation, had several criticisms of the CDBG program. His complaints in letter form were passed out to Mayor and Council. Copy is on file in the City Clerk's office. He said Austin has fallen short of reaching its Housing Assistance Plan goals; spent too much CDBG money on American City's Corporation study which did not benefit the low and moderate income, will waste money on the French Legation Project, HCD (Housing and Community Development) money is spent on projects which should be funded with CIP (Capital Improvements Program), citizen participation is not a meaningful part of the CDBG program, the Human Services Department has been unresponsive in answering citizen complaints, and the administrative costs of the program are too high.

GLEN SCOTT, River City Tenants Union, told Council that very little of the CDBG money is spent on tenants. She pointed out that 60% of low and moderate housing is rental housing.

BILL MILLER, from Montopolis, expressed his feeling that the clinic should be open two nights a week. He also said that it seems like Montopolis is left out of everything.

Mayor Pro Tem Himmelblau said she does not think CDBG funds can be used for operating the clinic because Council was turned down last year on another health clinic but felt that possibly the funds can be used for a transportation network. She asked staff to look into the legality of using the CDBG fund for transportation to the existing clinic on a regular scheduling basis. She said it is needed in Montopolis, St. John's and existing clinics.

Elliott Naishtat returned to state that the main issue is to be sensitive to the needs of neighborhood people.

Mayor Pro Tem Himmelblau moved that the Council close the public hearing on CDBG. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmember Cooke, Mayor Pro Tem Himmelblau, Councilmember
Mullen

Noes: None

Absent: Councilmember Goodman

BOARD AND COMMISSION REPORTS

Urban Transportation Commission report on proposed Central Area Circulation Plan

Mr. Joe Ternus reported, as follows, on the Central Area Circulation Plan: "You have been presented with the proposed Central Area Circulation Plan. As one of the City Council's Goals and Objectives, it was requested that a total transportation plan be developed and specifically a central area circulation plan will be developed. As you are aware, the central area of our community is the heart of our transportation system. All the elements of transportation, streets, transits, and pedestrian needs go through the central area and the central area influences the entire community program. The proposed circulation plan identifies specific corridors and facilities for each mode...automobiles, transits, pedestrians, and coordinates these into a multi-modal transportation system. The Council has previously approved a public transportation plan, a pedestrian plan, a roadway plan (this morning you set a public hearing) and a bikeway plan which should be coming to you in 60 to 90 days. This is another component of that program of developing a total transportation plan. It is very involved and very significant for our community. I would suggest Council might want to set a public hearing on this matter for some time in January so that the public can respond in more depth to any additional questions the Council might have."

Motion

Councilmember Snell moved that the Council accept the report on proposed Central Area Circulation Plan and set a public hearing for January 10, 1979, at 10:30 A.M. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmember
Cooke, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell
Noes: None
Absent: Councilmember Goodman

Energy Conservation Commission presentation of Commission's Energy Conservation Plan for Austin

MR. W. A. BRANT, Chairman, Energy Conservation Commission, reported that the year 2017 will be the year when oil reserves will be gone. The key to prevent complete disaster in 38 years is to alter our way of living now. He stated, "We need to prevent waste, conserve what we have, and find ways of converting to other renewable and non-renewable sources of energy. ... If the Iranian situation has done nothing else, it has taught us our present dependence on foreign oil." Mr. Brant then referred to his letter to the Council, dated November 30, 1979, which reads as follows:

"Last July, this Commission undertook a major project for the City of Austin: 'development of an action-oriented, comprehensive plan with short and long-term objectives, including specific targets for reducing energy consumption City-wide.'

That project, for which the Commission acknowledged responsibility in a letter to City Council, is completed and the attached Energy Conservation Plan for the City of Austin (ECPCA) is submitted for your consideration and approval.

The ECPCA provides an instrument through which you can effectively manage the overall energy conservation effort of Austin. It is purposely designed to cover the two broad areas of concern: City government; and, all other community wide energy conservation activities.

Municipal administration has an obligation to the community to conduct operations in the most efficient, cost-effective manner. Therefore, it is vital that these operations also set the highest possible example of leadership in energy conservation. The ECPCA is based, in part, on local government staff and departments assuming this responsibility by taking the lead in practicing energy conservation.

Another important aspect of the ECPCA is its involvement of community members in helping establish goals and objectives, and actually participating in each step of the planning and implementation process. In addition to the civic associations, who have assisted regularly in planning City programs, other groups of citizens from organizations and businesses may also participate.

City Council exercises control over the management of the energy conservation programs through its normal budget and funding responsibilities, its appointed Conservation Advisory Committee, and its designated City Conservation Coordinator, who is a member of City administration.

The ECPCA is not a high-cost, sophisticated, computerized model, but it has sufficient built in flexibility to meet the changing requirements for Austin, and any that are likely to be imposed by State or Federal government.

City Council can, and should, expand or contract Austin's energy conservation programs to meet those requirements.

General goals, objectives and supportive programs have been proposed in the ECPCA. These will be qualified and quantified during the planning process in accordance with a timetable which is entirely dependent upon your approval. Meanwhile, the Commission has arranged briefings on measures taken by City Departments to conserve energy and has scheduled more for January.

The Commission recommends that you approve in principle the Energy Conservation Plan for the City of Austin (ECPCA) at the earliest date by passing the resolution, Appendix A, ECPCA, which further establishes energy conservation policy for the City and provides necessary authority to initiate organization for its promulgation."

Mr. Brant suggested Council adopt the following resolution. He suggested deleting the last paragraph which reads, "BE IT FURTHER RESOLVED, that the City Manager designate a City Conservation Coordinator for Austin and charge him or her with responsibility for coordinating implementation of the Energy Conservation Plan at the earliest practicable date, consistent with Federal and State directives."

RESOLUTION

WHEREAS, it has become apparent throughout the nation that the citizens of the United States face immediate shortages in energy obtained from fossil fuels; and

WHEREAS, the nation has become increasingly dependent upon foreign nations for supply of these fuels at great risk to our economic and political security; and

WHEREAS, this threatening situation has been recognized by Federal and State leaders who have taken legislative action with respect to energy conservation; and

WHEREAS, the City of Austin has acknowledged the need to develop a policy for City departments and offices, and for the citizens with respect to conservation and efficient use of energy.

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of Austin that the Energy Conservation Plan, November, 1979, drafted by the City of Austin Energy Conservation Commission be adopted in principle.

Mayor McClellan said, "I think it would be in order to ask Mr. Davidson, if you could, please, to do some follow up reports for the Council and bring back to us in four weeks for action. Tell us which ones have budget implications and which ones do not. What we can do now, what we can phase into." Mr. Davidson said he would do that.

Councilmember Cooke felt it is important to support this plan in principle.

Mr. Brant said he looks at this plan as "a vice because it is easy to turn off or turn on as you will, but both areas, one for the local government and our departments of local government in Austin, which would be under a different situation, and then for the free will participation by the citizens of Austin to enter our volunteer programs and assist in conservation that way through civic associations and trade associations, etc. With the initiation of this plan, it isn't costing a cent. I might mention that Senate Bill 1829 recommends \$5,000,000 of government funds to be used for energy conservation at local government level. Three of the things necessary for anyone to apply for those funds are:

1. They have a Commission or a body like we have right now.
2. They have some management which would be a City conservation coordinator.
3. They have a plan.

This is one of the reasons we wanted to get a plan that could be bought off on without budget and funding difficulties right away. And to be able to say, yes, Austin has a plan and here it is. And then the City Council authorizes from there on how far they want to go."

Mayor McClellan said she wanted to make it clear that Council appreciates the work of the Energy Conservation Commission, but hates to adopt meaningless resolutions and "I thought the four-week period would give us all the specifics we need so we really have something that we're doing. I think we have stated and reiterated, and we can do it again, our support for what you adopt in principle and I think we need some specific matters addressed and then we can adopt a meaningful resolution when we get back the four week report."

Planning Commission Report on Goals for Downtown Revitalization

MIGUEL GUERRERO, Chairman, Planning Commission, presented the following report to Council:

"The Planning Commission has completed its charge to develop goals for downtown revitalization. Before I summarize these goals, I would like to review the Commission's previous communications with you concerning the revitalization program. On September 26, after considering reports from about 15 boards and commissions and many citizens, we made the following recommendations concerning the American Cities Corporation plan:

1. The ACC plan should not be adopted.
2. A comprehensive downtown plan should be developed.
3. Citizen participation should be insured.
4. The proposed downtown transportation plan should be held until an overall plan is developed.
5. The proposed convention center should be considered apart from the downtown plan.
6. Urban Renewal designation should be removed.

In addition to this recommendation, the commission identified a work program which included recommendations for specific public improvements and a set of five tasks which would result in a downtown plan. These tasks were:

1. Goal identification.
2. Analysis of existing conditions.
3. Identification of primary area and improvement alternatives.
4. Selection of a general plan from improvement alternatives.
5. Selection of a project.

On November 14 we submitted seven issues for special consideration which were synthesized from the comments received on the ACC proposal. These issues which are to serve as guidelines for downtown revitalization concern:

1. The uses of Urban Renewal.
2. Planning coordination.
3. Impacts on people in adjacent neighborhoods.
4. Traditional Austin aesthetic values.
5. Historic preservation and re-use of existing structures.
6. Energy conservation.
7. Citizen participation.

The goals we are recommending to you are based on several sources and include citizen participation at a workshop held on November 20. We have identified six major goals and listed several objectives under each of them. The goals are:

1. Austin's central area should retain a distinctive character of its own.

2. Transportation planning should stimulate and reinforce downtown development.
3. Residential opportunities should be expanded.
4. Economic and employment opportunities should be increased.
5. The downtown revitalization area should be designated a model energy development demonstration district.
6. Adverse impacts on individuals and neighborhoods, especially in surrounding areas should be minimized.

In addition to recommending these goals we solicit the Council's active participation of the private sector in a leadership role for the further development of a downtown revitalization program, keeping in mind that it is critical that adjacent residential neighborhoods be involved in the planning process.

We appreciate the opportunity to have participated in the revitalization effort to this point and will encourage revitalization efforts as the program continues. We look forward to reviewing programs as they occur and will expedite any projects and changes in regulations or procedures which further the revitalization effort."

Mayor McClellan commented that Mr. Guerrero's report reflects a lot of work and suggested Council take all of the report under advisement and then schedule an item on the agenda in a week or two to set a work session relating to the report.

TREE PLANTING ON EAST 6TH STREET

Council had before it for consideration a resolution authorizing License Agreements allowing tree planting on East 6th Street between Congress Avenue and IH 35 subject to review by Public Works Director and utilities and in compliance with PARD (Parks and Recreation Department) tree planting standards.

Mr. Davidson stated he felt this would cut down on the red tape involved by the applicants and utilize standards that would be acceptable to the Council. Councilmember Cooke asked how this relates to the other item on the Agenda under Ordinances which speaks to the processing fee. Mr. Davidson said it does not relate.

Motion

Councilmember Cooke moved approval of the resolution.

Mayor Pro Tem Himmelblau stated, "I don't think this should be at City expense, or if a tree dies, I don't think the City should be liable for replanting, and I don't know how this is addressed."

Mr. German told her that "the only place we have made any exception to the rule where the private property owner would take care of these landscaping improvements is on the East 6th Street project. When Council considered that it considered a recommendation from Leonard Ehrler that the City take over in two years for maintenance." Mayor Pro Tem Himmelblau said she does not want the City to take over.

Mr. Davidson said, "There is a distinction that needs to be drawn. On one hand the Council gets application from individual property owners who would like to do some landscaping abutting their property and they would normally take into account the project depending on how much it will cost them to maintain it, because that would be required. And in this case and a few other cases, we don't see too many coming up, we might have a community effort where an association has to raise \$40,000 to plant trees up and down a section of street. The abutting property owners who do have some responsibility for maintenance, are not asking for trees. So in these unique situations we would still want to come back to Council and describe the project and we think this would warrant municipal participation in a project, even to maintaining the trees later. That's the other kind of project that periodically will be coming to the Council, and I think that is kind of what happened in the 6th Street case."

Mayor Pro Tem Himmelblau asked if there is a fiscal note. Mr. German answered that money has already been provided to Parks and Recreation for the tree purchase and they had a project set up and they are willing to assume the maintenance and operation of those trees. "I don't think there was a fiscal note prepared to answer your questions. Mayor Pro Tem Himmelblau said she has nothing against the concept but the City is cutting back on some of its programs, such as weed maintenance along the creeks and she said she hates to see the City add when they are cutting. Mr. Davidson said, "I agree with that, except for one thing. The City Council does have a policy that says we are going to encourage this kind of development downtown. I think we ought to either rescind that goal and objective or go ahead with the program, and I feel the same way on some of the programs that the Council had no choice this year but to restrain some of the budgetary items that are going to effect the appearance and the ability of the City government to respond to this kind of a citizen need, and I know you want to address that as much as anyone, but that's one of the dilemmas of the tight budget. I haven't heard the Council say let's rescind the idea of cooperating with private businesses in order to beautify and improve and enhance the downtown area, and until you do that, we still intend to bring proposals that are going to constitute methods of getting that done."

Mr. German said, "I need to point out that there was an emergency item earlier on the agenda that Council passed related to a license agreement on East 4th Street, and the applicant in that case had asked for a waiver of fees. We did not pull that out, thinking that this item would have passed earlier. We do need some sort of retroactive action by Council to include that in the motion. Councilmember Cooke said that would be fair and equitable to the applicant."

Addition to Motion and Motion Restated

Councilmember Cooke moved that the Council adopt a resolution to authorize License Agreements allowing tree planting on East 6th Street between Congress Avenue and IH 35 subject to review by the Public Works Director and utilities and in compliance with Parks and Recreation Department tree planting standards; and include waiver of fees in issuance of a License Agreement to allow the construction of a court yard extension onto the paved area of the street adjacent to Lot A of Gaslight Square Subdivison, 208, 210 and 212 East 4th Street. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

ZONING ORDINANCE AND HISTORIC PRESERVATION PLAN

Mayor Pro Tem Himmelblau moved that the Council adopt a resolution to approve a Change Order to Blaney-Dyett in joint venture with Charles Hall Page and Associates, Inc., not to exceed \$10,000 for additional service (Legal counsel for contemplated new Zoning Ordinance and a Historic Preservation Plan.) The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell,
Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Goodman

NON-PROFIT HOUSING CORPORATION

Council had before it for consideration the following:

1. Authorizing the incorporation of a non-profit housing finance corporation.
2. Approving the form of articles of incorporation to be used in organizing the non-profit housing finance corporation.

Mr. Jerry Harris, City Attorney, referred to the above resolutions. (CLERK DID NOT RECEIVE A COPY.) He pointed out changes in wording on page 2, Article IV.

Councilmember Mullen moved that the Council adopt a resolution authorizing the incorporation of a non-profit housing finance corporation and approving the form of articles of incorporation to be used in organizing the non-profit housing finance corporation; with changes and appointing City Council as the Board of Directors. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Councilmember Cooke, Mayor Pro Tem Himmelblau
Noes: None
Absent: Councilmember Goodman

Organizational Meeting Set

Councilmember Snell moved that the Council have an Organizational Meeting of the non-profit Housing Finance Corporation on December 20, 1979 at 10:00 A.M. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember
Cooke, Mayor Pro Tem Himmelblau, Councilmember Mullen
Noes: None
Absent: Councilmember Goodman

"NO SALE" PROVISION ON PROPERTY

Councilmember Mullen moved that the Council adopt a resolution to establish a "No Sale" provision for six years on rehabilitation property at 1808 South 6th Street. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmember
Cooke, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell
Noes: None
Absent: Councilmember Goodman

EXEMPTION OF ANNUAL FEE FOR PLANTING TREES ON PUBLIC RIGHT-OF-WAY

Council had before it for consideration an ordinance amending Part 3 of Ordinance No. 790927-M, to provide for the exemption of the annual fees for certain license agreements covering the planting of trees on public right-of-way.

Councilmember Cooke asked, "It's exempting the annual fee, but it does take into consideration the processing fee of \$150.00, is that right?" Mr. German said, "That's correct and this would apply city-wide to any landscaping improvements made within the public right-of-way. We would have a license agreement. The annual fees would automatically be waived by this ordinance amendment. Right now it requires special action by the Council." Councilmember Cooke asked, "This way, based on the previous resolution that we submitted this morning, to expedite that process and cut down on red tape, it basically would be handled in your office?" Mr. German told him that is correct. Mr. Cooke continued, "The applicant we had at 12:00 (today) was asking that the processing fee be waived, so I want the Council to be aware of that and in voting for this motion, you will be in essence, denying that particular request. We were in a hustle to get out of here, and I think you need to take that into consideration, and that was a request by that Association to put those trees on East 6th Street."

Motion

Councilmember Cooke moved that the Council amend Part 3 of Ordinance No. 790927-M to provide for the exemption of the annual fees for certain license agreements covering the planting of trees on public right-of-way; with the exception of Historic districts in the city. The motion was seconded by Mayor McClellan.

Mayor Pro Tem Himmelblau asked if it is legal to give the overhead. Mr. Albert De La Rosa, Assistant City Attorney, answered, "As I understand it, what is being asked is waiving of the annual fee. This will not be a waiving of the application fee and the ordinance does not provide for the waiving of that fee. If the Council would like to see an ordinance that would authorize the waiving of the processing fee, then we can bring that back next week."

Motion Amended

Councilmember Cooke corrected his motion by saying, I withdraw 'with the exception of Historic districts in the city.'" The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino

Noes: None

Absent: Councilmember Goodman

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 790927-M BY AMENDING PART 3 THEREOF REGARDING THE LICENSING OF ENCROACHMENTS ON PUBLIC PROPERTY AND PUBLIC EASEMENTS BY ADDING THERE TO A PROVISION FOR ANNUAL PLANTED TREE MAINTENANCE; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mr. Davidson said, "With your permission, I'd like for us to also come back and enumerate another idea Mr. German has and that would basically be to utilize an application fee already paid by some applicant to cover a particular area and then subsequent applications we would fit into that original one in order to save the fee for those applicants. But if we got another request that entailed a large amount of staff work in order to look into all aspects of the effect on the street and this kind of thing we would certainly charge a fee in that instance." Councilmember Cooke said he would be receptive to any suggestions Mr. German has.

Mr. German stated, "Basically we're just saying that the original application of Mr. Cleaver could have been considered to cover all East 6th Street. And he's already paid a processing fee for it, if Council wanted to do it that way."

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Councilmember Cooke, Mayor Pro Tem
Himmelblau, Councilmembers Mullen, Snell, Trevino
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

FUNDS FOR WATERLOO SENIOR KITCHEN

Mayor McClellan introduced the following ordinance:

791213-V
F.S.

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass an ordinance appropriating \$62,000 Third Year entitlement General Revenue Sharing Funds for the Waterloo Senior Kitchen, CAPITAL IMPROVEMENTS PROJECT NO. 80/86-03. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmember Cooke, Mayor Pro Tem Himmelblau, Councilmembers
Mullen, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Councilmember Cooke asked about this prior to the vote. Mr. Al Eldridge, Office Of Facilities Planning and Construction, said the appropriation was needed because the engineer had inadvertently omitted some of the work in the planning. Mr. Ehrler, Director of Parks and Recreation, pointed out the money to make up the difference is Federal money.

MECHANICAL INSPECTOR QUALIFICATIONS

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE AMENDING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1967 BY ADDING THERETO SECTION 39-310, PROVIDING MECHANICAL INSPECTION QUALIFICATIONS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the first time, and Mayor Pro Tem Himmelblau, moved that it be passed to its second reading. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Himmelblau, Councilmember Mullen, Mayor
McClellan, Councilmember Cooke
Noes: Councilmembers Snell, Trevino
Absent: Councilmember Goodman

The Mayor announced that the ordinance had been passed through first reading only.

Prior to the vote, Councilmember Snell asked what this was, and Mr. Lonnie Davis, Director, Building Inspection Department, reported as follows:

"This is a request to amend Chapter 39 of the City Code by adding thereto Section 39-310, providing for mechanical inspector qualifications. A draft of this ordinance is attached.

Currently, the Mechanical Code does not address the minimum qualifications required of inspectors. The proposed ordinance will initially establish this criteria for the positions, Chief Mechanical Inspector, Assistant Mechanical Inspector and Residential Mechanical Inspector respectively.

Principally, this action will provide the mechanism in which to continue the program undertaken whereby a limited number of inspectors will be qualified to perform multiple inspections on one and two family dwellings. This proposal has been presented to the Heating, Air Conditioning and Refrigeration Board. They unanimously support the idea and recommend to the City Council that the Mechanical Code be amended to facilitate the multi-purpose inspector concept."

WATER AND SEWER POLICY REVIEW

Councilmember Cooke moved that the Council adopt a resolution for the staff to provide a list of approved water and wastewater projects where the lines are 16" or more; between now and the adoption of a water and wastewater oversizing policy, the staff will bring to Council for approval any lines recommended for oversizing to 16" or more. The motion, seconded by Mayor Pro Tem Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Cooke, Mayor Pro
Tem Himmelblau
Noes: None
Absent: Councilmember Goodman
Not in Council Chamber when roll was called: Mayor McClellan

FEDERAL LEGISLATION RE GENERAL REVENUE SHARING
AND CDBG

Councilmember Snell introduced an item to Council concerning reenactment of General Revenue Sharing and CDBG (Community Development Block Grant). He said that August of 1980 will be the last year for these funds and Council should encourage renewal of these particular grants. He told Council he had resolutions prepared regarding this and also asked the City Manager to ask the staff to prepare for Council a report concerning "the amount of monies we would be out of and City would have to pick up in the event these two programs are deleted in the coming year." He asked Council for their support and vote of confidence for his resolutions. (CLERK DID NOT RECEIVE A COPY.) The resolutions are to be sent to Washington, D. C., in support of renewal of these two programs as they already exist. He said they would be sent to the Chairperson of the National League of Cities and to other Mayors of other cities.

Motion

Councilmember Snell moved that the Council approve sending resolutions to Washington, D. C., concerning re-enactment of General Revenue Sharing and CDBG funds in 1980 Federal Legislation. The motion was seconded by Councilmember Trevino.

Councilmember Mullen stated, "I have a problem with General Revenue Sharing. I think to send money up to Washington and have it come back down to you is ridiculous. What I'd rather do is word the resolution so we could say we prefer they drop revenue sharing and decrease our income tax in proportion, as an alternative. ...The Feds are the people you are sending these resolutions to and if you continue bombarding them with the desires to continue sending money back down here, that's what they are going to do." Mayor McClellan said that, without success, she has been trying to get them to credit cities that are fiscally responsible, like the City of Austin, on our income tax because we need guidelines, etc. Councilmember Snell said he did not want to change the resolution.

Roll Call on Motion

Ayes: Mayor Pro Tem Himmelblau, Councilmembers Snell, Trevino,
Mayor McClellan

Noes: None

Absent: Councilmember Goodman

Abstain: Councilmembers Mullen, Cooke

BARTON CREEK MORATORIUM

Councilmember Mullen presented an Item to Council to discuss an extension of the 180-day moratorium on development along Barton Creek due to expire in January 1980. He said the Task Force is split on whether or not they can finish their study on time. He said he just wanted to make sure that if they do extend it the public is so informed. Mr. Davidson, City Manager, stated, "I'd like to make one point which really doesn't speak to whether or not there ought to be an extension. The work assignment from the Council is in the hands of the contract consultant, not the Task Force. The Task Force is not under any deadline, but the consultant is." Councilmember Mullen said, "The consultant is

putting together the project with the help of the Task Force and their input." Mr. Davidson said, "We've interpreted that to the extent the Council selected and authorized the Task Force to proceed and set up the time-table for the project. The Council also authorized the use of the Task Force who would have the privilege of providing some input to the consultant on the products way back to the Council. The consultant is under no obligation to submit it to the Task Force and say 'okay, when you are finished with it, send it back, and we will get it to Council.' The consultant has an obligation to get it to Council by the deadline no matter what the Task Force does."

NEAL GRAHAM, Barton Creek Moratorium Task Force, handed out information to the Council. (CITY CLERK DID NOT RECEIVE A COPY.) He said half of the Task Force feels there is not enough time and half of the Task Force feels there is enough time to submit it to Council for their approval by January 3, 1980. Councilmember Mullen asked when this will go to the Planning Commission. Mr. Davidson said, "Frankly, I don't think now there would be time between now and the proposed moratorium ending for the Council to receive the consultant's report and recommendation of the Task Force to decide you are going to send the recommendation to any board or commission. And you didn't discuss that. Council discussed the fact that the consultant would bring in a development ordinance capable of being passed in time to release the moratorium. So it appears once you get that, Council has a number of options. You could adopt it in order to lift the moratorium on time subject to adjustments based on any comment or recommendation of boards and commissions made to you in six months; you could make a decision to extend the moratorium based on the amount of work that it appears to involve to thoroughly review that."

Council discussed further and the Mayor suggested they put an item on the December 20, 1979, agenda to schedule a public hearing on January 3, 1980, for the Barton Creek moratorium.

Councilmember Mullen said, "I have one other consideration I would like to ask about. We do have the Federal government coming in to look at the creek and would an extension show good faith? I think that our Parks Director suggested that it would."

Neal Graham requested that when Council sets a public hearing it would be helpful if they detail the scope and detail of the recommendations they would like to see from the Task Force.

OPERATING BUDGET POLICY

Mayor Pro Tem Himmelblau submitted the following Operating Budget Policy to Council:

1. For each service delivered by the City the following information should be furnished:
 - a. an itemization of expenditures for each service during the previous fiscal year, a projection of actual expenditures for the current year, and proposed expenditures for the next fiscal year.

- b. a statement of objectives for each service to be funded during the next fiscal year. Objectives do not mean organizational objectives but measureable indicators of performance.
 - c. the proposed level of each service for the next fiscal year, together with a description of performance standards for each. The focus should be on community benefits that will be produced by a given expenditure.
 - d. a brief description of the methods by which the services will be delivered.
 - e. an itemization of the cost components of the proposed services.
 - f. sources of funding -- both for operating and personnel expenses -- for the proposed services. (for example, Capital Improvements Program, Revenue Sharing, Community Block Grant, General Fund).
 - g. a description of factors that could effect the cost of the proposed services.
2. The budget should contain a summary of the City's financial condition for the prior year and current year and a projection of it's anticipated condition for the coming fiscal year and beyond.
 3. All volumes of the budget document should be delivered to the Council by August 15.

Motion

Mayor Pro Tem Himmelblau moved that the Council approve the Operating Budget Policy as submitted by Mayor Pro Tem Himmelblau. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke, Mayor Pro Tem Himmelblau, Councilmember Mullen
Noes: None
Absent: Councilmember Goodman

ITEM PULLED FROM AGENDA

The City Manager report on Criteria for Community Development Corporation was pulled from the Agenda.

COLISEUM FEASIBILITY STUDY

Mr. Ron Wood, Director, Municipal Auditorium, presented the City Manager Report on Coliseum Feasibility Study. He showed slides of the proposed improvements.

SPECIAL CALLED MEETING SET

Mayor McClellan announced they would cancel the meeting scheduled for December 17, 1979, at 5:00 p.m. on Bond Proposals, and instead set the Special Called Meeting for January 4, 1980, at 4:00 p.m.

TRAFFIC SAFETY MEASURES

Mr. Joe Ternus, Director of Urban Transportation, presented a report on traffic safety measures in the vicinity of Pleasant Hill Elementary School. The Mayor thanked him for the report.

EXECUTIVE SESSION

Mayor McClellan announced Council would convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed its regular meeting at 5:25 p.m. to enter into Executive Session and resumed its recessed meeting at 5:55 p.m.

At this point, Councilmember Goodman entered the Council Chamber.

NATIONAL URBAN RUNOFF PROGRAM

Motion

Councilmember Mullen moved that the Council adopt a resolution to select the firm of Engineering Sciences, Inc., and authorize a contract for professional environmental engineering-planning services related to the National Urban Runoff Program. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Snell, Trevino
Noes: Mayor McClellan, Councilmember Cooke

Motion

Councilmember Goodman moved that the Council adopt a resolution to enter into a contract with the Texas Department of Water Resources for investigation of non-point source pollution in the Lake Austin Water. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Mayor Pro Tem Himmelblau,
Councilmembers Mullen, Snell, Trevino, Mayor McClellan
Noes: None

The Council will have an item on the December 20, 1979, Agenda to consider the procedure for the appointment of a Public Advisory Committee for the National Urban Runoff Program.

Motion

Mayor McClellan introduced the following ordinance:

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass an ordinance accepting and appropriating a grant of \$300,000 from the Environmental Protection Agency for a study of Lake Austin under the National Urban Runoff Program. (City in-kind share \$100,000) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers
Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

79-2-1-12
F.B.A.

Motion

Mayor McClellan introduced the following ordinance:

791213-X
F.k.b.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass an ordinance appropriating \$4,000 from the General Fund Ending Balance to finance the Public Advisory Committee under the National Urban Runoff Program. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Himmelblau, Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Councilmember Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

ADJOURNMENT

Council adjourned its meeting at 6:00 P.M.

APPROVED: Carole Zecton McClellan

Mayor

ATTEST:

Grace Monroe

City Clerk